

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LOURDES GARCIA,  <div style="text-align: center;">Plaintiff(s),</div>	}	Case No. 2:16-cv-01658-JCM-NJK
vs.	}	ORDER
MERCURY INSURANCE COMPANY, et al.,	}	
Defendant(s).	}	

Pending before the Court is Plaintiff's motion to reopen discovery. Docket No. 14. Defendant filed a response in opposition, and Plaintiff filed a reply. Docket Nos. 17, 18. The Court finds the motion unnecessary, and therefore **DENIES** it.

Parties have a duty to supplement their initial disclosures in the event they learn that they are incomplete or incorrect in some material respect. Fed. R. Civ. P. 26(e)(1)(A). The rules do not specifically mandate when supplements must be disclosed, only that they must be done "in a timely manner." *Id.* There is no bright line rule that supplementation must be done during the discovery period. *See, e.g., American Gen. Life Ins. Co. v. Vistana Condo. Owners Assoc.*, Case No. 2:12-cv-01324-JAD-NJK, 2016 WL 1611585, at \*2 (D. Nev. Apr. 21, 2016). Instead, the key inquiry is whether the timing of the supplemental disclosure is reasonable based on when the information was available to the plaintiff. *See, e.g., id.* ("Timing is better gauged in relation to the availability of the supplemental information").

1 Plaintiff's motion indicates only that she intends to supplement the medical bills she has  
2 disclosed. *See, e.g.*, Docket No. 14 at 3.<sup>1</sup> If Plaintiff believes she must supplement her initial  
3 disclosures under Rule 26(e)(1)(A), she does not need a court order to serve that supplement. Moreover,  
4 reopening discovery is not necessary to supplement disclosures. As such, Plaintiff should simply serve  
5 whatever supplemental disclosure she believes is required. To the extent Defendant contends the  
6 supplement is untimely or otherwise improper, Defendant should raise that argument through a  
7 subsequent motion to exclude or for other relief brought pursuant to rule 37(c). A motion to reopen  
8 discovery is not the proper vehicle to address such a dispute.

9 IT IS SO ORDERED.

10 DATED: March 16, 2017

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NANCY J. KOPPE  
United States Magistrate Judge  
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28 <sup>1</sup> Defendant disputes that any initial disclosure was made, Docket No. 17 at 1, an issue on which the  
Court herein expresses no opinion.